



Universität Regensburg

This is a translation of the original "Ordnung der Universität Regensburg zur Sicherung guter wissenschaftlicher Praxis". Only that original is legally binding. No legal claims or titles result from this English translation.

Universität Regensburg Regulations for Ensuring Good Academic Practice

On the basis of Art. 6 of BayHSchG, Universität Regensburg decrees the following regulations:

Preliminary remarks on language

All terms in these regulations relating to posts, people and functions are valid for all genders. This holds even should a masculine or feminine form be used.

§ 1 Regulatory purpose

¹As part of its statutory mission, Universität Regensburg is responsible for the organization of research, teaching and support for emerging academics. ²To fulfill its responsibility as regards the freedom of research and academic independence guaranteed in constitutional law, the university is authorized and obliged, in accordance with the legal possibilities, to make provisions for dealing with cases of academic misconduct. ³In this way, it guarantees recognized standards of academic integrity and meets its statutory obligations to use public funds for their intended purpose and any contractual obligations assumed to use private funds for their intended purpose.

§ 2 Scope of application and responsibilities

- (1) ¹These regulations hold for all members of Universität Regensburg that are active in the academic field. ²This includes, in addition to research assistants and associates, students and non-academic and service staff, insofar as they are involved in research. ³The regulations also hold for persons who are pursuing a doctoral or habilitation project which is supervised by a Universität Regensburg professor, even should such a person not be a member of the university.
- (2) Visiting scholars, freelancers and holders of scholarships or grants who are involved in research projects at Universität Regensburg without being member of the university are similarly bound by the principles laid down here.
- (3) The applicable version of these regulations also applies to former members of the university and those formerly pursuing doctorates or habilitations, if they are accused of academic misconduct relating to their activity at Universität Regensburg.
- (4) ¹Members of Universität Regensburg are subject to the rules determined in these regulations, even for research work which is carried out in collaboration with or on behalf of other institutions, businesses or private persons. ²These regulations must be respected when cooperation agreements are drawn up.
- (5) ¹Universität Regensburg is responsible for all processes to be undertaken within the scope of application of these regulations in accordance with the provisions set out below. ²It promotes its members conformity with regulations by creating suitable organizational structures and ensures the general conditions are in place for meeting legal and ethical standards. ³The general conditions include:
 - (a) professional tools to find previous research;
 - (b) laying down procedures in writing in accordance with the principles of equal opportunities, diversity and transparency for
 - (aa) recruitment of personnel;
 - (bb) supporting academics' careers;
 - (cc) institutional organizational and support structures which unambiguously assign the tasks of leadership, supervision, quality assurance and conflict resolution, depending on the size of the individual academic units;
 - (dd) assessment of research proposals.

§ 3 *The rules of good academic practice (research design)*

¹Academics are responsible for the implementation and protection of the essential values and norms of academic methodology within their work. ²The rules of good academic practice stemming from this include:

- (1) the general principles of academic work, such as
 - (a) undertaking thorough appraisal of the effects of research and evaluation of relevant ethical aspects and
 - (b) working in accordance with the state of the art, i.e.
 - (aa) looking into and taking comprehensively into account the current publicly available research while planning the project proposal,
 - (bb) identifying suitable relevant research questions arising from this,
 - (cc) checking the relevance of gender and diversity for the research proposal and taking the results of this into account when designing the research project,
 - (dd) using academically well-founded and transparent methods to answer research questions, and using processes of quality assurance such as calibration of apparatus, processing and analysis of research data, selection and use of research software, and its development and programming, and the use of lab books,
 - (ee) taking the additional rules existing in individual subject areas into account,
 - (ff) stressing quality assurance and the establishment of standards when developing new methods,
 - (gg) using methods to avoid bias, for example blind trials (academics check whether and to what degree gender and diversity may be important for the research project as regards methods, work plans, aims etc. When interpreting the results, the general conditions in place are taken into account).
 - (c) critically checking all data and findings for possible errors and objections.
- 2) the principle that, in general, all results from academics are to enter the academic discourse in a complete, verifiable and replicable way, i.e.:
 - (a) maintaining transparency and strict honesty relating to the contribution of cooperating partners, competitors and persons who have been involved in the topic in the past;
 - (b) fully and correctly citing all sources relevant for the research process and publication (text, graphics, data, organisms, software, source codes), to avoid taking quotes from secondary sources but citing the originals, and to respect the persistence and citeability of publicly available software;
 - (c) presenting the mechanisms of quality assurance used, in particular when new methods are developed;
 - (d) documenting all steps and results of an experiment or study completely and thereby thoroughly taking into account those results which do not support the research hypothesis (test records should record the aim of the experiment, its conditions, experimental procedure and results in such a way that they are comprehensible, cannot be subsequently changed);
 - (e) ¹in isolated cases and in agreement with the customs of the academic area, setting out restrictions and reasoning, should the documentation not be able to meet the corresponding rules. ²Such a decision may not depend on a third-party, unless it is time-limited as part of registering a patent, or it infringes safety standards or the rights of others.
 - (f) whenever possible making the research data on which the publication is based publicly available in recognized archives and repositories in accordance with the FAIR principle "Findable, Accessible, Interoperable, Re-Usable";
 - (g) endowing software developed oneself, and which is to be provided to third parties, with a suitable license and making the source code publicly available;
 - (h) not manipulating documentation or research results and protecting them as well as possible against manipulation.
- (3) a serious and long-term attitude to publication, i.e.:
 - (a) avoiding inappropriate publication in small sections;
 - (b) limiting the repetition of material which has already been published to the extent necessary for understanding context;
 - (c) selecting publication methods (books, journals, repositories, blogs) carefully and verifying their respectability in the relevant area of research;
 - (d) ¹correcting discrepancies or errors, which are noticed after publication. ²If the discrepancies or errors represent cause to withdraw a publication, the academic works with the publisher or provider to make the corrections or withdraw the publication as quickly as possible and make this known. ³The same holds insofar as the academic is made aware of such discrepancies or errors.
- (4) observing obligations and rights, in particular those arising from legal provisions or contracts with third parties, i.e.:
 - (a) obtaining any authorization and statements from ethics committees;

- (b) using knowledge, experience and skills so as to be able to recognize, estimate and evaluate risks (including safety-relevant risks);
- (c) ¹documenting agreements on rights of use for the data needed for the project as early as possible in the projects development. ²The person who collected the data, in particular, has rights of use over it. As part of an ongoing research project, those with rights of use decide whether third parties should have access to the data, taking into account data protection regulations.

§ 4 Archiving

- (1) ¹Research data or results which has been made publicly available or the underlying materials, documentation and, where relevant, research software used are to be backed up and stored suitably, as measured by the standards of the relevant academic area, generally for 10 years from the time of publication insofar as this is necessary for the purpose of verification. ²Insofar as there are reasonable grounds for not storing certain data, these must be set out. ³The university and research units external to it ensure that the necessary infrastructure is available to enable archiving appropriate for the material.
- (2) ¹Should the researcher's place of work change, the original data stays at the point it originated. ²Universität Regensburg makes provisions for the primary data to be forwarded appropriately and clarify access rights. ³The primary data is stored appropriately, protected from unauthorized access and those persons authorized to access it determined. ⁴Insofar as no data protection regulation conflict with this, the researcher should be enabled to make a duplicate of the data if they change their place of work.

§ 5 Responsibility for organization and communication of the regulations of good academic practice

- (1) ¹The regulations of good academic practice are to be communicated to all members of Universität Regensburg, for whom they are obligatory. ²They are to be continuously developed with participation from the members of the university. ³The regulations are a fixed component of the teaching and training of students and young academics.
- (2) Abuse of power and making use of relationships where one person depends upon another are to be prevented by organizational measures at both the level of individual academic work groups and the leadership level of academic institutions.
- (3) Equal opportunity for genders and diversity are taken into account in the areas recruitment and development of personnel. The processes for this are transparent and avoid non-academic influences ("unconscious bias") as far as possible.
- (4) Imparting the basics of good academic methodology begins at the earliest possible point in academic training. Academics at all levels regularly update their knowledge of the standards of good academic practice to the state of the current research.
- (5) The faculties ensure that the standards of good academic practice are always taught in all programs of study.
- (6) The faculties are responsible for making the rules of good academic practice binding as part of the supervision of doctoral candidates.

§ 6 Foundations for integrating and supervising young researchers

- ¹The training and support of young researchers is due particular attention. ²Irrespective of the responsibility of the university management, each faculty takes care that in their area, depending on the size of the individual academic work units, the tasks of leadership, supervision, support for young researchers, conflict regulation, and quality assurance are unambiguously assigned, and it is ensured that they are actually observed.
- (1) ¹Cooperation within academic work units is to be organized so that the group as a whole can fulfill its tasks, that it collaborates and coordinates its results, and all members are aware of their roles, rights and responsibilities. ²The size and organization of an academic work unit is to be determined so that the leadership tasks, in particular imparting competency, academic mentoring and supervision and support can be reasonably observed. ³Where necessary, the roles and responsibilities are adapted over the course of a project (for example should the participants' work focus change).
 - (2) Students, graduates and doctoral candidates are to be supervised reasonably as part of their work in academic work groups. Each person supervised is to be assigned a primary contact person. This supervision includes imparting good academic practice.
 - (3) ¹Postdocs, doctoral candidates, graduates and students active in a research project have a right to regular academic advice and support by supervisors or leaders of the work group. ²They are, on their part, obliged to

work responsibly, and with collegiality in the spirit of cooperative and respectful behavior.

- (4) Academics with differing levels of experience support each other in a process of continual learning and development, and are in regular communication.
- (5) ¹A part of this obligatory supervision for young researchers is actively supporting the completion of theses within a reasonable time frame. ²The definition of the individual conditions and the rights and obligations of supervisors, and doctoral candidates and habilitation candidates are to be recorded in supervision agreements.
- (6) The parts played by each participant in the overall academic project should be documented in applications, internal regulations of the work group, and in the publications arising from the project.
- (7) Both academic and research support staff enjoy a balance of support and autonomy suited to the stage of their careers they are at. They are granted an adequate status with corresponding influence. They are able to shape their careers with increasing autonomy.
- (8) Structures and concepts for the supervision of young researchers are established. Advice on career progression, and paths and possibilities for further education and training are offered, and mentoring for both academic, and research support staff.
- (9) Universität Regensburg appoints an independent person as ombudsperson (§ 10), whom members of the university may contact in cases of conflict, including questions of possible academic misconduct.

§ 7 Principles of responsible evaluation and appraisal of academic achievement

Fair behavior is the basis of the legitimacy of an appraisal process. This means:

- (1) ¹Academics who referee manuscripts or funding applications or judge the abilities of persons are obliged to treat this in the strictest confidence. ²Information or ideas which a referee comes across as part of their work must be treated in confidence. ³The confidentiality due to others' content which a referee or committee member has access to excludes not only forwarding this content to third-parties but also one's own use.
- (2) A referee must reveal any concerns about conflicts of interest which arise from competition, collaboration or other relationship with the author of a paper submitted for publication, with a person making an application for a project, or with an applicant for an academic position, taking into consideration the German Research Foundation (DFG) Guidelines for Avoiding Conflicts of Interest. ³The DFG's Guidelines for Avoiding Conflicts of Interest apply.
- (3) The provisions on confidentiality and conflict of interest apply similarly to members of academic committees giving advice or making decisions.
- (4) ¹The criteria for the evaluation of academic achievement are to be determined so that originality and quality take precedence over quantity. ²If quantitative indicators are taken into account in the overall evaluation, it is absolutely necessary to supply a differential and reflective explanation. ³An evaluation of an article's academic quality may not depend on the method or place of publication. ⁴An evaluation based on "impact factor" can only complement an evaluation of the contents, and not replace it. ⁵A determination of the quality of the contents of their work must always be made when carrying out a comparative evaluation of academics.
- (5) ¹Insofar as they are freely specified, in a comparative review, alongside the categories of the general equal treatment act (Allgemeinen Gleichbehandlungsgesetzes), individual details in someone's life to date are included in the evaluation, such as engagement in academic self-governance, public relations or knowledge and technology transfer. ²Contributions of macrosocial interest or the academic attitude of the academic in relation to being open to new findings and readiness to assume risk can also be valued.
- (6) Periods of inactivity caused by personal, family or health reasons, or training, qualification which took longer for this reason, alternative career paths or similar circumstances will be taken into account in a proportionate manner.

§ 8 Authorship and editorship

- (1) ¹A person is a (co)author of text, data or software only if they have made a genuine documented contribution to the academic content of the publication of same. ²Only such persons as contributed significantly to the conception of the research or experiment, the collection analysis and interpretation of the data or the formulation of the submission, and have agreed to the publication, making them responsible for it, may be named an author of an original academic publication. ³Taking into consideration the norms of the subject, whether a contribution is genuine and documented is, in individual cases, to be clarified and verified. ³A person cannot be named a (co)author due to their position as current or former academic leader or superior. ⁴Honorary authorships are not allowable.
- (2) The following contributions are not enough on their own to justify (co)authorship:
 - (a) a purely organizational responsibility for the procurement of funding,

- (b) provision of standard test materials,
 - (c) training members of staff in standard methods,
 - (d) purely technical work in data collection,
 - (e) purely technical support, for example merely the provision of apparatus and laboratory animals,
 - (f) merely the regular handing over of data sets,
 - (g) editorial reading of the submission for publication without substantially contributing to the shaping of the contents,
 - (h) leadership of an institution or organizational unit in which the publication originated.
- Insofar as such aspects feed into the result, they should be mentioned in a reasonable manner in the acknowledgments.
- (3) The rules given above apply correspondingly to editors of academic serials and editions.
- (4) ¹Academics reach an agreement on who should be named author or a research result. ²Agreement on the order of authors is taken in good time, generally when the manuscript is formulated at the latest; the criteria by which the authors are ordered must be documented and take into account the conventions of each academic area. ³Consent necessary for the publication of results may not be withheld without sufficient grounds. ⁴There must be a well-founded and verifiable criticism of the data, methods or results for consent to be withheld.
- (5) ¹All authors agree on the final draft of the planned publication. ²They hold joint responsibility for this, unless the responsibility is explicitly determined otherwise.
- (6) ¹Authors take care and act as far as possible to ensure that their research contributions are indicated by the publisher or infrastructure provider, so that users can correctly cite them.

§ 9 Academic misconduct

- (1) ¹If, in a significant academic connection, intentional or grossly negligent misrepresentation takes place, intellectual property of other persons is infringed, or their research work is otherwise impaired, it is a case of academic misconduct. ²The circumstances of the individual case are always decisive. ³The following are particularly important for academic misconduct:
- (a) incorrect statements:
 - (aa) forging data;
 - (bb) falsifying contents and data, e.g. by selecting and rejecting unwanted results without making this clear, or by manipulating a representation or figure;
 - (cc) incorrect statements in job applications or grant applications (including incorrect statements to publishers or similar, and incorrect statements for documents appearing in print);
 - (dd) incorrect statements on the academic performance of job applicants in selection or refereeing commissions;
 - (ee) concealing conflicts of interests.
 - (b) infringement of intellectual property in connection with work belonging to someone else and protected by copyright or academic findings, hypotheses, theories or research approaches originating with someone else:
 - (aa) unauthorized use with pretense of authorship (plagiarism);
 - (bb) exploitation of research approaches and ideas from young researchers, in particular as a referee or supervisor (theft of ideas);
 - (cc) pretense or unfounded assumption of academic authorship or joint authorship;
 - (dd) unauthorized publication when a work, findings, hypothesis, theory or research approach that has not yet been published, or making such available to third parties when unauthorized.
 - (c) claiming to the (co)authorship or (co)editorship of another without their agreement.
 - (d) sabotaging research work (including damaging, destroying or manipulating experimental setups, equipment, documents, hardware, software, chemicals or other items needed by another person to carry out an experiment).
 - (e) deleting primary data, insofar as in this way legal regulation or recognized disciplinary principles of academic work are breached.
 - (f) knowledge of falsifications by other persons.
 - (g) denying cooperation or deliberate delay during the resolution of academic misconduct, for example during a procedure involving an ombudsperson in the sense of § 12) or a formal investigation procedure in the sense of § 14).
- (2) Co-responsibility for misconduct may arise from, amongst other things,
- (a) active participation in another's misconduct,
 - (b) coauthorship in publications tainted with falsifications,

(c) gross negligence of supervisory duty.

§ 10 Organs of academic self-regulation

- (1) ¹The Universität Regensburg Senate appoints, at the suggestion of the executive board, an ombudsperson as contact for members of the university and a Commission to Investigate Allegations of Academic Misconduct for the purpose of academic self-regulation. ²The term of office is three years. Reappointment is possible. ³Deputies are appointed for each member of the commission and for the ombudsperson in case of the apprehension of conflicts of interest.
- (2) ¹The commission consists of three Universität Regensburg professors, each a proven researcher, one of which should be qualified for judicial office. ²The commission appoints a chair from among their number. ³Its decisions are determined by a majority of votes.
- (3) ¹The ombudsperson and the deputy ombudsperson should be an experienced academic of great integrity and leadership skills. ²The ombudsperson and their deputy should not belong to the same field of research. ³The assumption of the office of ombudsperson, deputy ombudsperson and membership or deputy membership of the commission is inconsistent with membership of a central leadership committee at Universität Regensburg or the office of Gender Officer. ⁴Para 2 Clause 2 applies similarly to their term of office. ⁵The university ensures that the ombudsperson's work is visible, independent and that it receives sufficient support. ⁶The other duties of the ombudsperson and deputy are lessened appropriately.
- (4) ¹The commission acts upon application from the ombudsperson, the deputy ombudsperson or one of its members. ²The ombudsperson and the commission make preparations to aid the relevant university committees to reach decisions, and advise the Executive Board and UR academics on ensuring good academic practice.
- (5) The members of the commission and the ombudspersons are independent in the carrying out of their duties and are not bound by instructions.
- (6) The university's Internet site refers to the commission and the ombudspersons, making clear their respective functions and that every member of the university has a right to speak to the ombudspersons within a short period.
- (7) Members of Universität Regensburg are free to contact the national "German Research Ombudsman" from the DFG directly if they have questions on good academic practice and its violation.
- (8) ¹ Investigations of misconduct within courses are to be conducted by the relevant member of the teaching staff and dean of studies. ²Breaches of good academic practice during examinations are judged by the relevant examination boards.

§ 11 Principles of the procedure when academic misconduct is suspected

- (1) ¹Universität Regensburg will follow up every concrete suspicion of academic misconduct in accordance with §§ 12-15 in accordance with the principles of the rule of law relating to due process irrespective of the person concerned. ²If investigation confirms the suspicion of academic misconduct, measures appropriate to the case and within the scope of legal possibilities will be taken.
- (2) ¹All persons charged with checking on suspicion of academic misconduct, in particular the ombudsperson and investigating committee exert themselves in a suitable manner for the protection of both the person who presents information on such an allegation and the person whom the allegation concerns. ²The person whom the allegation concerns should, as a matter of principle, not be disadvantaged by the investigation into the suspicion until academic misconduct is formally established. ³The person providing information may not be disadvantaged in their own academic or professional progression, even should academic misconduct not be shown, if the notification was not provably against their better knowledge.
- (3) ¹For the protection of the person providing information of a possible suspicion, those concerned and the referees as judges are bound to strict confidentiality in the procedure for suspicion of academic misconduct within Universität Regensburg. This is to be strictly maintained, including after the procedure has been completed, subject to any rights to access documents the law provides. ²Excluded from this is reporting to the president and relevant committees of Universität Regensburg relating to a person on whom suspicion has fallen in the case that there is concrete suspicion of academic misconduct, if and insofar as Universität Regensburg, the environment or persons would be threatened by the absence of such reporting. § 14 Para. 5 remains unaffected.
- (4) The confidentiality of the procedure is subject to limits should the person giving information make the suspicion public. Ombudspersons or the commission decide in individual cases how they deal with the breach of confidentiality by the person giving information.

- (5) As part of the consideration in an individual case, every stage of an investigation of allegations of academic misconduct is always conducted under the presumption of innocence.
- (6) ¹Anonymous information can only be investigated when the information is reliable and sufficient. ²Deliberately making incorrect or bad-faith allegations can itself be academic misconduct.
- (7) Both the person concerned by the allegation and the person giving information will be given the opportunity to make statements in every phase of the procedure.
- (8) The regulations of the Bavarian administrative procedure act (Bayerisches Verwaltungsverfahrensgesetz) and § 72 of the constitution apply accordingly for the formal investigation insofar as this statute does not include differing regulations.
- (9) The regulations of the Bavarian administrative procedure act apply with regard to concerns of bias for the ombudspersons and members of the Commission to Investigate Allegations of Academic Misconduct.

§ 12 The ombudsperson procedure

- (1) ¹In general, where there are concrete suspicious indications of academic misconduct, the ombudsperson or deputy ombudsperson is informed without delay. ²The information should be given in writing; when oral information is given, a written memorandum of the suspicion and the evidence supporting it is to be made.
- (2) ¹The ombudsperson or deputy ombudsperson acts as a confidant, advising the person giving information about an assumed case of academic misconduct, and acts on their own initiative upon relevant information they become aware of (possibly from third-parties). ²The advice aims for informal unbiased mediation of conflicts acceptable to all involved.
- (3) The ombudsperson or deputy ombudsperson has an obligation to strict confidentiality; they may not reveal the identity of the person giving information without their express permission.
- (4) The ombudsperson or the deputy ombudsperson investigates the plausibility of the allegations for concreteness and significance and in relation to the possibility of clearing up the allegations.
- (5) The ombudsperson or deputy ombudsperson has the right, while safeguarding the legitimate interests of the person concerned, to collect information and statements necessary to illuminate the situation, and in individual cases to draw on experts from the relevant academic area.
- (6) ¹If the ombudsperson concludes that the allegations of the person giving information are not supportable, the person giving information can task the deputy ombudsperson to make an independent investigation. ²This applies similarly should the deputy ombudsperson have initially dealt with the case.

§ 13 The preliminary investigation procedure undertaken by the commission

- (1) If the ombudsperson determines there is sufficient initial cause to suspect academic misconduct, they apply to the commission for a preliminary investigation and divulge to it the allegations of academic misconduct, while maintaining confidentiality to protect the person giving information and the person concerned.
- (2) ¹The person under suspicion of misconduct is informed by the commission without delay, the incriminating facts and evidence are named, and the person given the opportunity to make a statement. ²Para. 1 applies similarly. ³The deadline for a statement to be made is two weeks; it can be extended. ⁴The name of the person giving information will not be disclosed to the person concerned at this stage without their permission.
- (3) After the person concerned's statement is received or when the deadline has passed, the commission will make a decision within two weeks whether the preliminary investigation is to be ended (and the person concerned and the person giving information informed of the reasoning) because the suspicion has not been sufficiently confirmed or alleged misconduct has been disabused, or whether the case is to proceed to the formal investigation procedure.
- (4) If the person giving information disagrees with the halting of the preliminary investigation process, they have the right to present their case to the commission in person, who will reconsider their decision.

§ 14 The formal investigation procedure undertaken by the commission

- (1) When the commission opens a formal investigation procedure the Executive Board is informed by the chair of the commission.
- (2) ¹At its own discretion, the commission can call upon specialist consultants from an academic area and experts in dealing with such cases as further members in an advisory capacity. ²This may include arbitration advisors.
- (3) ¹The commission's deliberations are held orally in camera. ²It investigates by freely assessing the evidence whether there has been academic misconduct. ³It generally decides within a deadline of six months.
- (4) ¹The academic accused of misconduct is to be presented with a corresponding report and given the

opportunity to make a written statement with a deadline of two weeks. ²The person concerned is to be heard orally if they so wish; they can ask a person they trust to be present and assist them. ³This also applies for other persons to be heard. ⁴A record is to be made of the oral hearing.

- (5) ¹The name of the person giving information may be disclosed if the person concerned cannot otherwise properly defend themselves, because, for example the credibility and motivation of the person giving information in relation to the accusations of possible misconduct is to be investigated. ²The person giving information will be informed before their name is disclosed; they can decide to withdraw the accusation when the disclosure of their name is foreseen.
- (6) If the commission decides that misconduct has not been proved, the procedure will be terminated.
- (7) The material grounds leading to the termination of the procedure or forwarding to the Executive Board are to be conveyed to the person concerned, the person giving information, and the university management without delay.
- (8) There is no internal procedure to complain about the decision of the commission.
- (9) Should the commission determine that misconduct has been demonstrated, it presents the results of its investigation to the Executive Board with a recommendation on how to proceed including with regard to the rights of others. The university management then decides how to proceed.
- (10) ¹At the end of a formal investigation procedure, the ombudsperson determines all those persons who are or were involved in the case in a secondary capacity. ²The ombudsperson advises those persons, in particular early-stage researchers and students, who became involved in the processes of academic misconduct through no fault of their own, with regard to safeguarding their academic integrity.
- (11) ¹The documents from the formal investigation are stored with the ombudsperson for 10 years. Following this, they are sent to the university archives and stored in accordance with the requirement of the Bavarian archive act (Bayerisches Archivgesetz). ²The persons named in connection with a case of academic misconduct have the right, upon application, to receive notification from the ombudsperson about the retention period.

§ 15 Further measures

- (1) When academic misconduct is determined, the Executive Board considers the further measures necessary to safeguard the academic standards of the university and the rights of all persons concerned whether directly or indirectly. The penalty for academic misconduct is in accordance with the circumstances of the individual case.
- (2) ¹At the faculty level of the university, the academic consequences, for example withdrawal of academic degrees or authorization to teach, are to be considered.
- (3) To protect third parties, to safeguard confidence in academic probity, to restore its academic reputation, to prevent subsequent damages and for the general public interest, the faculties must, in collaboration with the Executive Board, consider whether and to what extent other academics (past and possible associates, coauthors), academic institutions, academic journals and publishers (in the case of publications), institutions offering grants, academic organizations, professional associations, ministries and the general public should or must be informed.
- (4) The relevant bodies and institutions responsible initiate, depending on the facts of the case, measures under labor law, public services law, civil law, criminal law or administrative law, with the corresponding procedures and possibilities for sanctions.
- (5) The Executive Board decides on the full or partial publication of the report concerned and the recommendations.

§ 16 Possible consequences of academic misconduct

The following catalog represents a selection of possible consequences of academic misconduct. The following come into consideration:

- (1) Consequences under public service or labor law
 - (a) for public servants of grade "Beamtin / Beamte": disciplinary measures;
 - (b) for employees of type "Angestellte"; warning, ordinary termination, extraordinary termination, termination of contract;
- (2) Academic consequences:

¹academic consequences in the form of the withdrawal of academic degrees can only be implemented by Universität Regensburg when it has awarded the title to the person concerned itself. ²If the academic degree was awarded by another university, this university is then only to be informed if the misconduct arose in connection with the earning of an academic qualification. ³In this case, the withdrawal of a doctoral degree or authorization to teach come into consideration.

(3) Possible consequences under civil law:

- (a) issuing an exclusion order;
- (b) surrender / handover claims against the person concerned, for example to return abstracted academic materials or similar;
- (c) remedy claims and prohibitory injunctions arising from copyright law, personality rights, patent law and competition law;
- (d) repayment claims for stipends, third party funds or similar;
- (e) claims for damages from the university or third parties, for damages to personal rights, property or similar.

(4) Possible consequences under criminal law:

¹Consequences under criminal law come into consideration when there is the suspicion that academic misconduct also constitutes an offense under the penal code (Strafgesetzbuches, StGB) or other criminal provisions or misdemeanors. ²The president calls in the investigating authorities.

(5) Revocation of academic publications:

¹Publications containing defects due to academic misconduct are

- a) to be withdrawn insofar as they have not yet been published, and
 - b) to be corrected, insofar as they have been published (revocation or correction / erratum);
- those who cooperated on the publication are to be informed in a suitable manner. ²The authors and publishers involved are obliged to do this as a basic principle; should this not be done, the president takes measures at their disposal which are suitable.

Coming into force and going out of force

These regulations come into force on the day following their promulgation. They replace the previous regulations on the principles of safeguarding good scientific practice from October 1, 1999 (Ordnung der Universität Regensburg über die Grundsätze zur Sicherung guter wissenschaftlicher Praxis).

Issued on the basis of the decision of the Senate of Universität Regensburg from June 30, 2021.

Regensburg, July 7, 2021

Universität Regensburg

The President

(Prof. Dr. Udo Hebel)

These regulations were laid down on July 7, 2021, in the university. The laying down was announced on the university's website and with notices in the university. The promulgation date is, therefore June 7, 2021.